

The Honorable Brian A. Tsuchida

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRADLEY WHALEY,

Defendant.

No. MJ25-157

UNOPPOSED MOTION TO EXTEND
TIME TO FILE INDICTMENT UNDER
SPEEDY TRIAL ACT

Note for Consideration:

April 10, 2025

Defendant, Bradley Whaley, by undersigned counsel, respectfully moves the Court for an order extending the time for filing an indictment in this case to June 16, 2025. The government, represented by Assistant United States Attorney Rachel Yemini, does not oppose this motion, which is made on the following grounds.

A complaint against Mr. Whaley was filed in this matter on March 21, 2025. It charges Mr. Whaley under 18 U.S.C. § 875(c) with making interstate threats by telephone against a member of Congress on March 20, 2025. Mr. Whaley was arrested and made his initial appearance on March 24, 2025. The Court released Mr. Whaley on an appearance bond at that time. Mr. Whaley has fully complied with the conditions of his appearance bond since his release.

1 Under the Speedy Trial Act, an Indictment charging a defendant must be filed within 30
2 days from the date on which the defendant was arrested or served with a summons in connection
3 with such charges. 18 U.S.C. § 3161(b). The current indictment deadline is April 21, 2025.

4 Undersigned counsel has recently received the discovery materials in this case and has
5 begun reviewing them, but has not had the opportunity to complete review of the materials or to
6 discuss them with Mr. Whaley. The defense plans to complete the process of reviewing
7 discovery, conduct necessary independent investigation, and confer with Mr. Whaley regarding
8 the facts underlying the charges, possible defenses, and potential legal issues which might be
9 raised via pre-trial motions. Additionally, the parties are engaged in discussion of a potential
10 agreed resolution of this matter and believe that extension of the indictment deadline to permit
11 this process to continue would be in the interests of justice and would promote efficient use of
12 resources. Defense counsel does not believe that these tasks can be completed prior to the current
13 indictment deadline.
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15 The Government is represented by Assistant United States Attorney Rachel Yemini. As
16 noted above, Ms. Yemini has indicated that she does not object to this request for extension of
17 the indictment deadline.

18 The parties agree that the proposed new indictment deadline of June 16, 2025 is a
19 reasonable extension considering the amount of discovery and the nature and seriousness of the
20 charges. Accordingly, the defense is seeking an Order continuing the time within which an
21 Indictment must be filed on the ground that the “ends of justice served by taking such action
22 outweigh the best interests of the public and the defendant in a speedy trial,” as permitted by 18
23 U.S.C. §§ 3161(h)(7)(A), (B)(i) and (B)(iv).
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1 Mr. Whaley agrees with the request to extend the indictment deadline has executed a
2 Waiver of Speedy Indictment through June 16, 2025, waiving rights under the Sixth Amendment
3 and the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq*, and has further agreed that the period from
4 the filing of this motion through June 16, 2025, shall be an excludable period of time under the
5 Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A).

6 For all the foregoing reasons, counsel respectfully requests that the Court extend the time
7 within which an Indictment must be filed on the grounds that the ends of justice served by a
8 continuance outweigh the best interest of the public and the defendant in a speedy trial under the
9 Speedy Trial Act, 18 U.S.C. § 3161.

10 Respectfully submitted this 10th day of April, 2025.

11 BLACK & ASKEROV, PLLC

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